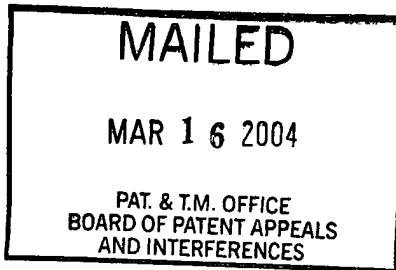


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte BRIAN E. SPRINGETT
and
DONALD G. MONEFELDT

Application No. 10/010,202

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received at the Board of Patent Appeals and Interferences on February 9, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

An examination of the file reveals that an Appeal Brief was filed March 27, 2003 which requested that any fees associated with the filing of the Brief on Appeal to Xerox Corporation be charged to Deposit Account No. 24-0025. The Patent and Trademark Office records reflect that this fee has not been charged.

In addition, section 1208 of the Manual of Patent Examining Procedure (MPEP) (8th Ed., Rev. 1, Feb. 2003) states:

On the examiner's answer, below the primary examiner's signature, the word "Conferees:" should be included, followed by the typed or printed names of the other two appeal conference participants. These two appeal conference participants must place their initials next to their name. This will make the record clear that an appeal conference has been held. [Emphasis added.]

The Examiner's Answer mailed September 24, 2003 does not comply with the above requirement.

Accordingly, it is


ORDERED that the application is electronically returned to the Examiner:

1. for the appropriate Appeal Brief fee to be charged to appellants' Deposit Account No. 24-0025;
2. for taking corrective action regarding the appeals conference;
3. for written notification to appellants regarding the action taken; and

Application 10/010,202

4. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
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RA040302